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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/894,653	06/27/2001	Daniel Dedu-Constantin	MS146953.1	6973

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EXAMINER

CHEN, TE Y

ART UNIT	PAPER NUMBER
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2171

DATE MAILED: 10/27/2003

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Please find below and/or attached an Office communication concerning this application or proceeding.

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# Office Action Summary

Application No.

09/894,653

Applicant(s)

DEDU-CONSTANTIN ET AL.

Examiner

Susan Y Chen

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 16 July 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-29 is/are pending in the application.
- 4a) Of the above claim(s) 17-26 and 28-29 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-16 and 27 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.  
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☐ Some \* c) ☐ None of:  
1. ☐ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  
\* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).  
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 2 & 3.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

### **DETAILED ACTION**

1. Based on the Reply to Restriction Requirement mailed on July 16, 2003, the Applicant elects Group 1 -- claims 1-16 and 27-- with traverse for further prosecution.

#### ***Specification***

2. The specification has not been checked to the extent necessary to determine the presence of all possible minor errors. Applicants' cooperation are requested in correcting any errors of which applicants may become aware in the specification.

#### ***Claim Rejections - 35 USC § 112***

The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

3. Claims 1-16 and 27, are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the enablement requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention.

As to claims 1, 8, and 27, Applicant fails to disclose the mechanism and benefits for mapping the claimed data document component and the data set component, as such, it is not enable one skilled person in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention.

As to claims 2-7 and 9-16, these claims have the same defects as their base claims, hence are rejected for the same reason.

***Claim Rejections - 35 USC § 102***

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-16 and 27, are rejected as best as the examiner is able to ascertain under 35 U.S.C. 102(e) being anticipated by Vandersluis (U.S. Patent No. 6,356,920).

As to claims 1, 8, 10 and 27, Vandersluis discloses a dynamic hierarchical data exchange system with method/means/executable computer program medium for accessing data [e.g., see Title, Abstract, col. 5, lines 1-42], comprising:

a) a parser for retrieving and parsing information associated with a data source [e.g., the Parsing Code unit of Fig. 2, Steps 45, 47, Fig. 7, the XML parser at col. 11, lines 62-66];

b) an XML data document component adapted to receive at least part of the parsed information and having a hierarchical representation information associated with the data source [e.g. the dynamic XML hierarchical representation component (22) of the data Authoring System, Fig. 4b; Fig. 2; col. 2, lines 36-53; Steps 119-124, Fig. 12];

c) a data set component, adapted to receive part of the parsed information and having a relational presentation information of at least some of the information associated with the data source [e.g. the Data Definition Files (204, 207) of the Authoring System (203), Fig. 15, col. 5, line 56 – col. 6, line 10; Fig. 16].

As to claims 2 and 9, Vandersluis further discloses that the source data including XML document and a relational database document [e.g., col. 5, lines 19-25].

As to claims 3, 11 and 13, Vandersluis further discloses that the data set component having a structural inference component for inferring a relational structure of the source data [e.g., the XML links, col. 11, lines 44-52].

As to claims 4 and 12, Vandersluis further discloses that the data set component having a schema component receiving a schema describing a relational structure of the source data [e.g., the SQL Build Subtree schema, Fig. 11].

As to claims 5 and 14, Vandersluis further discloses a managed provider [e.g., the Hierarchical Data Server (HDS), Fig. 15] for accessing a relational database document, the managed provider providing information associated with the relational database document to at least one of the data set component [e.g. col. 5, lines 45-55].

As to claims 6 and 15, Vandersluis further discloses the system comprising a service facilitating access to the hierarchical representation of information stored in the data document component [e.g. the Drag & Drop service, col. 11, lines 37-38].

As to claims 7 and 16, Vandersluis further discloses the system comprising a designer facilitating access to the relational representation of information stored in the data set component [e.g. the Command Line Program Interface, Col. 12, lines 16-18]

### ***Conclusion***

5. To expedite the process of examination, the examiner requests that all future correspondences in regard to overcoming prior art rejections or other issues (e.g. 35 U.S.C. 112) set forth by the Examiner prior to the office action, that applicant should provide and link to the most specific page and line numbers of the disclosure where best support is found (see 35 U.S.C. 132).

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6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure: Gilbert et al. (U.S. Patent No. 6,370,537) which disclosed a system for manipulating and display structured data set.

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Susan Y Chen whose telephone number is (703) 308-1155. The examiner can normally be reached on Monday-Friday from 7:00-4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Safet Metjahic can be reached on (703) 308-1436.

The fax phone numbers for the organization where this application or proceeding is 703-872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703)308-6296.

Susan Chen

October 16, 2003



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AD 2171